

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILBERSON SEVERE DALICER.

Plaintiff.

v.

AT&T Inc.

Defendant.

CIVIL CASE NO. 1:24-cv-542

FILED
HARRISBURG, PA

APR 01 2024

PER

IBL

DEPT

COMPLAINT

1. Plaintiff Wilberson Severe Dalicier is a resident of Cumberland county in the State of Pennsylvania located at 3 Britton Rd, Shippensburg, PA 17257.

2. Defendant AT&T is a business entity resides in the State of Texas located at 208 S. Akard Street Suite 2954, Dallas, Texas 75202. Authorize to do business in the state of Pennsylvania.

3. This action is for breach of contract in the amount of 71.10 and this action is being filed in the United State District Court Middle District Of Pennsylvania with the proper venue and jurisdiction.

4. On September 9, 2023 Plaintiff Wilberson Severe Dalicier Entered into a Consumer Credit Transaction involving a credit sale with the defendant AT&T Inc. for Internet services which was a AT&T Internet Air service plan in the total amount of \$71.10 per Month.

5. Plaintiff Wilberson Severe Dalicier submitted a collateral security and Tendered a negotiable instrument in Full to the defendant AT&T Inc. with Accord and Satisfaction as a performance to the Contract on September 9, 2023

6. On December 26, 2023 The Defendant AT&T Inc. received instructions pertaining the principal balance to be transferred to the principal account and to be utilized for setoff.

7. The Defendant AT&T Inc. ignored the instructions pertaining the principal balance and also refused to carry out the fiduciary duties for Plaintiff Wilberson Severe Dalicier and the Accord and Satisfaction Performance to the contract.

8. on January 31, 2024 The Defendant AT&T Inc. received second notice letter of opportunity to cure instructions pertaining the principal balance to be transferred to the principal account and to be utilized for setoff within 5 business days but the Defendant AT&T Inc. Ignored the second notice letter refused to carry out the fiduciary duties for Plaintiff Wilberson Severe Dalicier and the Accord and Satisfaction Performance to the contract

9. On February 22, 2024 The Defendant AT&T Inc. received third notice letter of Default Judgment instructions pertaining the principal balance to be transferred to the principal account and to be utilized for setoff within 5 business days. But the Defendant AT&T Inc. once again Ignored the third notice letter refused to carry out the fiduciary duties for Plaintiff Wilberson Severe Dalicier and the Accord and Satisfaction Performance to the contract.

10. Due to these actions the Account is taking effect from non payment due to Defendant AT&T Inc. non-performance to the contract therefore the Plaintiff is being effected as the beneficial owner of the account due to Defendant AT&T Inc. non-performance

11. The Plaintiff performed his contractual obligations Carrying out the Accord and Satisfaction performance to the Contract on September 9, 2023

12. By the facts and circumstances stated above the Defendant AT&T Inc. breach the contract.

13. Plaintiff was deprived of the Goods Proceeds in the Contract Sale

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs hereby request from the courts and demands from the Defendant for the following relief

1. Plaintiff asking for special performance of the contract to be performed by the defendant AT&T Inc. and for the court to order defendant AT&T Inc. to restore the AT&T Internet Air service back on for the Plaintiff.

ADDITIONALLY. Plaintiff Seeks the Defendant to be responsible for the cost of this action and whatever the court deems appropriate and just. plus all attorney fees and all costs incurred by Plaintiff in connection with this action.

Respectfully Submitted this 26 day of March, 2024



WILBERSON SEVERE DALICIER

Address: 3 Britton Rd,
Shippensburg, PA 17257

Tel: (717)729-5556

E-Mail: monfre6041@gmail.com

Wilberson Severe Dalicier
3 Britton Rd,
Shippensburg, PA 17257

TO THE RIGHT
AT DOTTED LINE
CERTIFIED MAIL®



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Pennsylvania Sylvia H. Rambo, U.S.
Courthouse 1501 North 6th Street, Suite
101, Harrisburg, PA 17102